

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDRE L. RHEA,

Defendant.

CASE NO. CR15-148-JCC

DETENTION ORDER

Offense charged: Distribution of Heroin

Date of Detention Hearing: July 31, 2015.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been charged with a drug offense, the maximum penalty of which is in excess of ten years. There is therefore a rebuttable presumption against defendant as to both dangerousness and flight risk, under 18 U.S.C. § 3142(e).

2. Defendant does not have a viable release address and has a lengthy criminal

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1 record that includes significant bench warrant activity for failure to appear for hearing, and a  
2 history of non-compliance with supervision. He is not employed, and a Department of  
3 Corrections detainer has been placed on defendant. Much of his background information is not  
4 verified.

5 3. Taken as a whole, the record does not effectively rebut the presumption that no  
6 condition or combination of conditions will reasonably assure the appearance of the defendant as  
7 required and the safety of the community.

8 It is therefore ORDERED:

- 9 1. Defendant shall be detained pending trial and committed to the custody of the Attorney  
10 General for confinement in a correction facility separate, to the extent practicable, from  
11 persons awaiting or serving sentences or being held in custody pending appeal;
- 12 2. Defendant shall be afforded reasonable opportunity for private consultation with counsel;
- 13 3. On order of the United States or on request of an attorney for the Government, the person  
14 in charge of the corrections facility in which defendant is confined shall deliver the  
15 defendant to a United States Marshal for the purpose of an appearance in connection with  
16 a court proceeding; and
- 17 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel for  
18 the defendant, to the United States Marshal, and to the United State Pretrial Services  
19 Officer.

20 DATED this 31st day of July, 2015.

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23 Mary Alice Theiler  
United States Magistrate Judge